

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Chapter 7 Estate of Bernard L.
Madoff,

Plaintiff,

v.

CATHAY LIFE INSURANCE CO. LTD.,

Defendant.

Adv. Pro. No. 11-02568 (CGM)

**STIPULATION AND ORDER REGARDING FILING OF REPLY IN FURTHER
SUPPORT OF MOTION TO DISMISS AND WAIVER OF ORAL ARGUMENT**

Plaintiff Irving H. Picard (the “Trustee”), trustee for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III (“SIPA”), and the chapter 7 estate of Bernard L. Madoff, and defendant Cathay Life Insurance Co. Ltd. (“Defendant” and, with the Trustee, the “Parties”), by and through their respective and undersigned counsel, state as follows:

WHEREAS, on January 13, 2022 the Parties filed a Stipulation and Order setting March 25, 2022 as the deadline for Defendant to respond to the complaint in the Action, May 24, 2022 as the deadline for the Trustee to respond to any filed motion to dismiss, and June 23, 2022 as the deadline for Defendant to file a reply. ECF No. 114;

WHEREAS, on March 25, 2022, the Parties filed an Amended Stipulation and Order setting April 25, 2022 as the deadline for Defendant to respond to the complaint in the Action, June 24, 2022 as the deadline for the Trustee to respond to any filed motion to dismiss, and July 24, 2022 as the deadline for Defendant to file a reply. ECF No. 115;

WHEREAS, on April 25, 2022, Defendant timely filed a Motion and Memorandum of Law to Dismiss Trustee's Complaint (the "Motion"). ECF Nos. 116-119. Defendant noticed the Motion for hearing on August 10, 2022, at 10:00 a.m.;

WHEREAS, On June 24, 2022, Trustee timely filed Opposition to Defendant's Motion (the "Opposition"). ECF Nos. 122-123;

WHEREAS, the Parties previously stipulated to an extension of Defendant's deadline to file a reply in further support of its motion through and including August 1, 2022, which was So Ordered by the Court. ECF No. 127;

WHEREAS, Defendant has requested further additional time to file its reply and the Trustee has consented to the extension;

WHEREAS, the Parties have met and conferred and have agreed to rest on their papers and waive oral argument on the Motion.

IT IS HEREBY STIPULATED AND AGREED, and **SO ORDERED**, by the Court:

1. The deadline for Defendant to file a reply in further support of its Motion shall be extended to and including September 1, 2022;

2. The Court will not hear oral argument on the Motion, and the hearing scheduled for August 10, 2022, at 10:00 am, to consider the Motion is cancelled and will be removed from the Court's calendar;
3. The Motion may be decided by the Court on the papers and without oral argument after September 1, 2022. To the extent a presentment date is necessary, the Motion shall be presented to the Court on the papers on September 14, 2022 at 10:00 a.m.

Dated: July 29, 2022
New York, New York

Dated: July 29, 2022
Dallas, Texas

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Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7
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*Attorneys for Defendant Cathay Life
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**Dated: August 1, 2022
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**